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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,566	11/20/2001	Makoto Okada	1359.1057	8743
21171 7590 03/27/2007 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER TRAN, NGHI V	
			ART UNIT 2151	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/27/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/988,566	<b>Applicant(s)</b> OKADA ET AL.	
	<b>Examiner</b> Nghi V. Tran	<b>Art Unit</b> 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This office action is in response to the amendment filed on February 08, 2007. Claims 1, 4, 6, and 7 have been amended. Claim 8 has been canceled. Claim 9 has been added. Therefore, claims 1-7 and 9 are presented for further examination.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 4, 7, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claims 1, 4, 7, and 9 recite the limitation "a message body" in line 6 of claim 1, in line 6, of claim 4, in line 10 of claim 7, and in line 9 of claim 9. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thatte et al., U.S. Patent No. 6,442,620 (hereinafter Thatte), in view of Klimczak et al., U.S. Patent Application Publication No. 2002/0023180 (hereinafter Klimczak).

7. With respect to claims 1, 4, and 6-7, Thatte teaches an object collaboration apparatus operated in accordance with a message and action relationship [see abstract and fig.2], comprising:

- a message receiving part for allowing each object to monitor and capture a message transmitted on a network [figs.6-7],
- a message and action relationship storing part [fig.4 and col.16, ln.13 - col.18, ln.65];
- an action executing part for executing processing in accordance with the contents of an action [col.4, lns.9-54],
- wherein the apparatus further comprises a message type classifying and matching part, the message type classifying and matching part stores and holds a message type dealt with by the message and action relationship storing part, analyzes a message type of a received message, conducts matching processing for determining whether or not a type of the received message is matched with the message type dealt with by the message and action relationship storing part, and if matched, gives the received message

to the message and action relationship storing part [figs.2-5 and col.9, ln.15 - col.13, ln.28], and

- an action is executed in accordance with the message and action relationship based on the message given to the message and action relationship storing part [fig.9].

However, Thatte does not explicitly show a message and action relationship storing part for storing contents of an action that is a reaction to the message and adapted to search for corresponding action with a message body as a search key and said message including a message type and a message body.

In an object collaboration apparatus, Klimczak suggests or discloses a message and action relationship storing part [figs.4-5] for storing contents of an action that is a reaction to the message [i.e. action description] and adapted to search for corresponding action with a message body as a search key [i.e. check whether the action item is present, step 7 of fig.10] and said message including a message type and a message body [figs.5-9].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thatte in view of Klimczak by storing contents of an action that is a reaction to the message and adapted to search for corresponding action with a message body as a search key because this feature may correspond to many various types of functionality relating to the user interface, such as data display, data output and data transfer rather than to database access or database modification privileges [Klimczak, see abstract]. It is for this reason that one of ordinary skill in the

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art at the time of the invention would have been motivated in order to decide on the subscriber's configuration strategy and to actually input the desired configuration information into the appropriate computer [Klimczak, paragraph 0011].

8. With respect to claims 2 and 9, Thatte further teaches classification of the message type has a hierarchy, and a message type header representing message type contains information representing the hierarchy of the classification of the message type, and by applying the hierarchy of the classification of the message type, the message type classifying and matching part stores and holds a message type dealt with by the message and reaction relationship storing part, analyzes a message type of the received message, and conducts matching of the message type [col. 22, ln.29 - col.28, ln.18].

9. With respect to claim 3, Thatte further teaches the message type is defined by using an idea of inheritance in object-oriented programming, and the hierarchy of the classification of the message type contains a hierarchy of classification of a class derivation message type and a class derivation origin message type [col.23, lns.43-60 and col.1, ln.15 - col.2, ln.58].

10. With respect to claim 5, Thatte further teaches for synchronization processing between objects, action contents desired to be subjected to the synchronization processing are described by using the object entity name to be an entity name rewrite

target by the entity name rewrite object, in the message and action relationship storing part of an object to be a slave, and the entity name rewrite object rewrites the object entity name written as the entity name rewrite target into an object entity name to be a master object of the synchronization processing [col.4, ln.10 - col.5, ln.58].

### ***Response to Arguments***

11. Applicant's arguments filed February 08, 2007 have been fully considered but they are not persuasive because of the following: Thatte teaches an object collaboration apparatus operated in accordance with a message and action relationship [see abstract and fig.2], comprising: a message receiving part for allowing each object to monitor and capture a message transmitted on a network [figs.6-7], a message and action relationship storing part [fig.4 and col.16, ln.13 - col.18, ln.65]; an action executing part for executing processing in accordance with the contents of an action [col.4, lns.9-54], wherein the apparatus further comprises a message type classifying and matching part, the message type classifying and matching part stores and holds a message type dealt with by the message and action relationship storing part, analyzes a message type of a received message, conducts matching processing for determining whether or not a type of the received message is matched with the message type dealt with by the message and action relationship storing part, and if matched, gives the received message to the message and action relationship storing part [figs.2-5 and col.9, ln.15 - col.13, ln.28], and an action is executed in accordance with the message and action relationship based on the message given to the message and action

relationship storing part [fig.9]. However, Thatte does not explicitly show a message and action relationship storing part for storing contents of an action that is a reaction to the message and adapted to search for corresponding action with a message body as a search key and said message including a message type and a message body. In an object collaboration apparatus, Klimczak suggests or discloses a message and action relationship storing part [figs.4-5] for storing contents of an action that is a reaction to the message [i.e. action description] and adapted to search for corresponding action with a message body as a search key [i.e. check whether the action item is present, step 7 of fig.10] and said message including a message type and a message body [figs.5-9]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thatte in view of Klimczak by storing contents of an action that is a reaction to the message and adapted to search for corresponding action with a message body as a search key because this feature may correspond to many various types of functionality relating to the user interface, such as data display, data output and data transfer rather than to database access or database modification privileges [Klimczak, see abstract]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated in order to decide on the subscriber's configuration strategy and to actually input the desired configuration information into the appropriate computer [Klimczak, paragraph 0011].

12. In response to applicant's arguments that Klimczak's object ID is clearly not a message. The examiner respectfully does not agree because Thatte teaches or



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suggests policy object **180** is part of a message [see col.9, ln.15 through col.10, ln.54. For example, Klimczak discloses the enyoys can pass information from the client-side context to server-side policy object [figs.7-8 and col.15, ln.34 through col.16,ln.64]. Therefore, Klimczak's object is part of a message.

13. In response to applicant's arguments that Klimczak fails to teach a message includes a message type and a message body. The examiner respectfully does not agree because Klimczak teaches or suggests object [i.e. part of a message] includes a message type [i.e. object type] and a message body [i.e. object description] [fig.5-9]. For example, Klimczak discloses the enyoys can pass information from the client-side context to server-side policy object [figs.7-8 and col.15, ln.34 through col.16,ln.64].

14. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642F. 2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F. 2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Applicant obviously attacks references individually without taking into consideration based on the teaching of combinations of references as show in the above.

15. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention

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where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thatte in view of Klimczak by storing contents of an action that is a reaction to the message and adapted to search for corresponding action with a message body as a search key because this feature may correspond to many various types of functionality relating to the user interface, such as data display, data output and data transfer rather than to database access or database modification privileges [Klimczak, see abstract]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated in order to decide on the subscriber's configuration strategy and to actually input the desired configuration information into the appropriate computer [Klimczak, paragraph 0011].

16. Therefore, the examiner asserts that cited prior arts teach or suggest the subject matter broadly recited in independent claims. Claims 2-3 and 5 are rejected at least by virtue of their dependency on independent claims and by other reasons set forth above. Accordingly, claims 1-7 and 9 are respectfully rejected as shown above.

### **Conclusion**

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17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V. Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi Tran  
Patent Examiner  
Art Unit 2151

March 20, 2007



**ZARNI MAUNG**  
SOLICITORY PATENT EXAMINER